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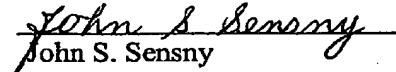
Response Under 37 C.F.R. §1.116
Expedited Procedure Examining
Examining Group 2633IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** Casimer M. DeCusatis, et al.**Docket:** FIS920010143US1(14581)**Serial No.:** 09/964,190**Examiner:** Dalzid E. Singh**Filed:** September 26, 2001**Group Art:** 2633**For:** WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING**Dated:** September 13, 2005**Confirmation No.:** 1297Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450AMENDMENT UNDER 37 C.F.R. §1.116

Sir:

In response to the Office Action dated July 13, 2005, please amend the subject patent application as follows.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Dated: September 13, 2005
John S. Sensny

1400 Garden City Plaza
 Garden City, New York 11530
 (516) 742-4343 - Telephone
 (516) 742-4366 - Facsimile
 e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
 & PRESSER**

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To: Examiner: Dalzid E. Singh
Group Art Unit: 2633
Confirmation No.: 1297

From: John S. Sensny, Esq.

Fax: 703-672-9800-571-2738300 **Pages:** 10 (Including fax cover sheet)

Phone: **Date:** September 13, 2005

Re: Applicants: Casimer M. DeCusatis, et al.
 Serial No.: 09/964,190
 Filed: September 26, 2001
 For: "WAVELENGTH MODULATION FOR
 OPTICAL BASED SWITCHING AND ROUTING"
 Docket: FIS920010143US1 (14581)
 JSS:jy

AMENDMENT UNDER 37 C.F.R. §1.116

TRANSMITTED HEREWITH:

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.116;
3. Authorization to charge IBM Deposit Account No. 09-0458/IBM, if necessary; and
4. Certificate of Facsimile Transmission, dated September 13, 2005 (in duplicate).

FOR:

Applicants: Casimer M. DeCusatis, et al.
 Serial No.: 09/964,190
 Filed: September 26, 2001
 For: "WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING"
 Docket: FIS920010143US1 (14581)

JSS:jy

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Casimer M. DeCusatis, et al.

Docket No.

FIS920010143US1 (14581)

Application No.
09/964,190Filing Date
September 26, 2001Examiner
Dalzid E. SinghGroup Art Unit
2633

Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING

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AMENDMENT UNDER 37 C.F.R. §1.116*(Identify type of correspondence)*

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(Signature)

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P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Casimer M. DeCusatis, et al.				Docket No. FIS920010143US1 (14581)	
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	1 - 20 = 0	x \$50.00	\$0.00		
INDEP. CLAIMS	1 - 3 = 0	x \$200.00	\$0.00		
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00					
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. 09-0458/IBM in the amount of \$50.00 <input type="checkbox"/> A check in the amount of \$50.00 to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. 					
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<i>John S. Sensny</i> Signature					
Dated: September 13, 2005					
John S. Sensny Registration No. 28,757					
Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343					
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Casimer M. DeCusatis, et al.

Docket No.

FIS920010143US1 (14581)

Application No.
09/964,190Filing Date
September 26, 2001Examiner
Dalzid E. SinghGroup Art Unit
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Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING

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on September 13, 2005*(Date)*John S. Sensny*(Typed or Printed Name of Person Signing Certificate)*John S. Sensny
(Signature)

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P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Casimer M. DeCusatis, et al.

Docket No.

FIS920010143US1 (14581)

Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297
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Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	1 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

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The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM

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Any patent application processing fees under 37 CFR 1.17.

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John S. Sensny
Signature

John S. Sensny
Registration No. 28,757

Scully, Scott, Murphy & Presser
400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343

cc: JSS:jy

Dated: September 13, 2005

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P11LARGE/REV09